S.B.CRIMINAL MISC. BAIL APPLICATION NO. 5689/2007
(Jagsir Singh and Ors. Vs. State of Rajasthan)

DATE OF ORDER : 06/12/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Kamal Deep Singh for the petitioners.
Mr. Ashok Upadhayay, Public Prosecutor for State.

Heard learned counsel for the petitioners and Public Prosecutor for the State. Perused the order impugned and police investigation diary.

The allegation of causing injury by Kandhali a sharp edged weapon is against petitioner No.1 Jagsir Singh and therefore, it is not a fit case to release the petitioner No.1 on anticipatory bail. The bail application filed by petitioner No.1 Jagsir Singh under Section 438 Cr.P.C. is therefore, dismissed.

However, so far as petitioner No.2 Pal Singh is concerned, the allegation against him is that he caught hold the hairs of the complainant.

Having regard to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I consider it just and proper to allow the bail application filed by the petitioners No. 2 and 3 under Section 438 Cr.P.C.

Accordingly, the bail application filed by the petitioners No. 2 and 3 u/s 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Pal Singh S/o Shri Jarnail Singh and Balraj Sing S/o Pal Singh in FIR No. 588/2007 P.S. Sagaria, district Hanumangarh, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- alongwith one surety of like amount to the

satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners No. 2 and 3 shall surrender before the trial court on the date of filing of the challan and move a regular bail.

(H.R.PANWAR), J.

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